The New York Society for the Prevention of Cruelty to Children

125th ANNIVERSARY

1875-2000
The Setting

1820-1870

Until a very short time ago, no laws effectively protected children from maltreatment much less accorded them any rights. Violence was commonplace and except for a few extreme instances, child abuse was tolerated. One hundred and twenty-five years ago, on April 27, 1875, The New York Society for the Prevention of Cruelty to Children was incorporated marking the birth of organized child protection.

The movement was a pragmatic blend of religious faith, humane concern, private initiative and public partnership, transcending political, sectarian and economic differences.

Child protection didn’t begin in a vacuum. It was part of a wave of reform, a spontaneous reaction to a sequence of events unprecedented in the magnitude of their impact.

Between 1820 and 1870, as the nation experienced the industrial revolution, the Civil War and the onset of a massive tide of immigration, the population of New York City increased seven fold, to over a million people, half of whom were foreign born. Public and private service systems were overwhelmed, riots were frequent, crime was rampant and the child cruelty and exploitation they engendered was as common as the sixteen-hour work day.
The first anti-cruelty laws were enacted on behalf of animals, but the founding of the American Society for the Prevention of Cruelty to Animals in New York by Henry Bergh in 1866 proved fortuitous, for its applicability to human beings was recognized almost immediately.

"THE CHILDREN OF NEW YORK ARE SADLY IN NEED OF A CHAMPION..."
—The New York Evening Telegram, 1866

"IT IS NOT ALONE THE LOWER ANIMALS THAT ARE SUBJECT TO ILL-TREATMENT AND CRUELTY..."
—The Northern Budget, Troy, N.Y., 1867

Within four years, Bergh enlisted Elbridge Gerry as ASPCA counsel. The sensitivity that imbued these men with concern for animals also filled them with distress over the maltreatment of children.
MARY ELLEN

In January of 1874, in a New York City neighborhood called “Hell's Kitchen”, a rooming-house janitress told Etta Wheeler, a church worker about a case of child cruelty. Dedicated and compassionate, Mrs. Wheeler made discreet inquiries and determined to rescue the abused child, a little girl named Mary Ellen. When others declined to intervene, Wheeler approached Henry Bergh, and Bergh appealed to Gerry:

“No time is to be lost — instruct me how to proceed.”

Gerry made clever use of an obscure section of habeas corpus to secure their legal standing. The “Mary Ellen case” was a classic child protective intervention. Within forty-eight hours of Wheeler’s initial report, an investigation was conducted, a petition filed, a protective removal effected, a hearing commenced, a temporary placement arranged and a criminal prosecution in preparation.

Mary Ellen’s court statement.

APRIL 9, 1874

“My name is Mary Ellen ___ . I don’t know how old I am; my mother and father are both dead; I call Mrs. C ___ momma; I have never had but one pair of shoes, but can’t recollect when that was; I have no shoes or stockings this winter; I have never been allowed to go out...except in the night time, and only in the yard [to use the outdoor privy]; my bed at night is only a piece of carpet stretched on the floor underneath a window and I sleep in my little undergarment with a quilt over me; I am never allowed to play with other children; momma has been in the habit of whipping me almost everyday; she used to whip me with a twisted whip — a rawhide; the whip always left black and blue marks on my body; I have now on my head two black and blue marks which were made by momma with the whip, and a cut on the left side of my forehead which was made by a pair of scissors in momma’s hand; she struck me with the scissors and cut me; I have no recollection of ever having been kissed and I have never been kissed by momma; I have never been taken on momma’s lap or caressed or petted; I never dared speak to anybody, because if I did I would get whipped; I have never had...any more clothing than I have on at present.... I have seen stockings and other clothes in our room, but I am not allowed to put them on; whenever momma went out, I was locked up in the bedroom... I don’t know for what I was whipped; momma never said anything when she whipped me; I do not want to go back to live with momma because she beats me so.”

Mary Ellen was placed in a loving home, married, raised a family of her own, and died at the age of 92 in 1956.
The Response
1874-1875

SPCC Founding 1874

Bergh and Gerry, aware that the hour for
children had finally come, recruited respected
philanthropist John D. Wright and formally
pledged themselves to the establishment
of organized child protection.

NYSPCC Founders:
Henry Bergh, Elbridge
T. Gerry, John D. Wright

(inset) Mary Ellen with
her 2 daughters

Children's Protective Society

The undersigned, desirous of rescuing the unprotected
children of this City and State from the cruelty and
demoralization which neglect and abandonment engender;
hereby engage to aid, with their sympathy and support, the
organization and working of a Children's Protective Society,
having in view the realization of so important a purpose.
On December 15, 1874, the Society for the Prevention of Cruelty to Children was founded and organized. Gerry announced its unique purpose:

“to rescue little children from the cruelty and demoralization which neglect, abandonment and improper treatment engender; to aid by all lawful means in the enforcement of the laws intended for their protection and benefit; to secure by like means the prompt conviction and punishment of all persons violating such laws and especially such persons as cruelly ill treat and shamefully neglect such little children of whom they claim the care, custody or control.”

“...the object of the Society is to prevent not punish for cruelty to children...”

— ELBRIDGE T. GERRY, JUNE 19, 1875

NYSPCC Incorporation

1875

On Tuesday, April 27, 1875, the SPCC was incorporated as The New York Society for the Prevention of Cruelty to Children, the first child protection agency in the world. Wright became its first president, Gerry and Bergh, vice-presidents.
The first SPCC prosecutions illustrate what had to be overcome. An NYSPCC Officer caught a man in the act of publicly beating his son over the head with the butt of a heavy whip. To the man's great surprise, he was arrested, tried, convicted and sentenced to thirty days. An eight year-old girl lost the use of an arm that was deliberately broken. SPCC intervention prevented further abuse and secured court protection.

In an era of widespread poverty, alcoholism and child labor contributed greatly to the abuse and exploitation of children. In one case where The Society’s intervention highlighted the problem, a child forced to perform on a tightrope suffered from severe curvature of the spine. Involvement in this and in cases like it, including one the SPCC pursued all the way to California, stirred national interest in reform.

In its first eight months of operation, the NYSPCC received and investigated several hundred complaints, prosecuted 68 criminal cases and rescued 72 children from abuse and neglect.

So many harmful conditions existed that The Society realized new laws were needed and worked for their enactment. Almost the entire body of modern child protective legislation is rooted in laws advocated by the NYSPCC. Among the more notable of these initiatives were:

- acts requiring custodians to provide food, clothing, medical care and supervision, prohibiting child endangerment and regulating child employment (1876);
- acts prohibiting the sale of intoxicants to minors and mandating their separation from adults when arrested (1877);
acts providing juvenile parole for those under age 16, prohibiting children in saloons unless accompanied by a parent or guardian and prohibiting gun dealers from selling or giving weapons to minors (1884);

acts prohibiting the employment of children in sweatshops and factories and limiting child employment to 60 hours a week (1886);

acts regulating obscene material with respect to children (1887) and providing protections for messenger and telegraph boys (1888);

acts prohibiting the sale of tobacco to minors and prohibiting them from living in drug dens and houses of prostitution (1889).
One of the challenges facing the NYSPCC was that of obtaining temporary shelter for the many lost, runaway and abandoned children and for the maltreated children who had to be removed from their homes for their own protection. When no one else assumed this burden, the NYSPCC undertook to do so. In April, 1880, The Society purchased a brownstone at 100 East 23rd Street as both a headquarters and a temporary shelter, the first children’s shelter in the city. In 1888, the adjoining house was added. Even this was not enough, so the NYSPCC constructed an eight story building on the site, which it opened in April 1893.

Although the investigation of maltreatment complaints provided an ever-increasing volume of work, it was not the only service offered. Among the many SPCC initiatives undertaken, in addition to the shelter, were these:

- the enforcement of child entertainer laws and the processing of child performance applications (102 years, 1876-1978);
- the daily transportation of sheltered children to and from court appearances and their delivery to child-caring institutions (70 years, 1878-1948);
- the investigation of children reported to the police as “missing persons” (70 years, 1880-1950);
- child support collection and enforcement for New York City (51 years, 1880-1931);
- the investigation of those seeking the return of their children from placement (49 years, 1887-1936);
the investigation of petitions for voluntary child placement (23 years, 1880-1903);

the inspection of infant boarding and foster homes (6 years, 1880-1886).

Among the more shocking abuses disclosed by the NYSPCC were the "baby farms", private nurseries and homes akin to modern unlicensed daycare facilities. Infants were found sleeping on bare floors, filthy, unattended and starving for milk, and older children were warehoused in unsuitable quarters while unscrupulous operators profited from fees and public appropriations.

Child labor was a problem addressed at the very first SPCCC meeting. One notorious form of abuse was effectively terminated by the NYSPCC between 1879 and 1885, working with the U.S. Immigration Service and the Italian Consulate. This was the infamous "padrone system", whereby desperate, well-intentioned families were duped into sending their children to America, to a sponsor of their own nationality who promised jobs, training and care for a time, after which the children were to be sent home. Instead, like Oliver Twist, the children were brutalized and forced to beg, entertain or steal to support the padrone.

As the nineteenth century drew to a close, the radical concept of organized child protection had been accepted and replicated throughout the nation and the world. In New York City (Manhattan and the Bronx), the NYSPCC had investigated 130,000 complaints, aided 370,000 children, sheltered 84,000 of them and prosecuted 50,000 cases at a conviction rate of 94 percent. From 1875 until the early 1960's, the Society was exclusively receiving and investigating all complaints of neglect/abuse in N.Y. county. To respond to reports, the Society was open 24 hours a day, 7 days a week, with personnel available. The practice continued until the late 1970's, when the need diminished, the result of changes in the law.
Growth, Continuity of Service and Reorganization

1900-1925

The first quarter of the twentieth century was one of continuing SPCC expansion and innovation. The Society had become a key component of the city's service delivery system for children and their families and its legal position was affirmed through litigation. The New York State Court of Appeals defined the NYSPCC as a quasi-governmental arm of the state and the findings of a supreme court investigation of the Society were favorable in every respect.

In 1900, Gerry addressed the annual state convention of 40 humane societies on the life of Henry Bergh, who had died during the blizzard of 1888. In attendance was Mary Ellen, accompanied by Etta Wheeler. At the end of that year, Gerry resigned the NYSPCC presidency he had held for 21 years, remaining as general counsel until his death in 1927 at age 89. Etta Wheeler died in 1921.

Once the segregation of juvenile and adult offenders for which the NYSPCC so ardently advocated became law in 1877, other reforms swiftly followed. In 1901 an act was passed in New York City that established a Children's Court, in a separate building with designated judges. As it had in the criminal and magistrates courts, the NYSPCC stationed its officers there. It also conducted case intake and supervised the children's rooms. No longer were children detained in police stations, city jails or prisons.

The NYSPCC secured the enactment of a law reducing all crimes committed by children to misdemeanors except capital crimes. From this approach developed the concept of "juvenile delinquency," juvenile parole and probation. From 1900 until the establishment of a governmental probation department, the NYSPCC provided this service at the court's request and its superintendent was chief probation officer.

Another enlightened NYSPCC innovation was the hiring of women as investigating officers.

The SPCCs formed a cooperative network and among the more notable instances of mutual assistance was the case of "the Titanic waifs." Two brothers aged five and three survived the tragedy and were taken in hand by another survivor and brought to New York. The mayor asked the NYSPCC to oversee their care, investigate their identity and search for relatives. By publication of their photos in the foreign editions of New York newspapers and an extensive international SPCC inquiry, the mother was located and the identity of the children confirmed. His marriage failing, the father had absconded with the children, booked their passage on the ill-fated liner under a false name and died in the disaster.

The children were reunited with their mother and returned to their native city in France, where one of them resides to this day.

The Society's needs outgrew its 47 year old headquarters and in 1920, the shelter, with a daily population of...
up to 200 children was temporarily relocated in the only suitable facility immediately available, at the extreme northern end of Manhattan.

The nine-mile distance from the courthouse necessitated additional mechanized transport. August Heckscher's response was comprehensive. From his generosity came the Heckscher Foundation for Children and the magnificent six-story complex opposite Central Park, occupying the entire site bounded by Fifth and Madison Avenues and East 105th and 106th Streets, the northern half of which the NYSPCC occupied in August 1922.

Of the 5000 children sheltered and transported by the NYSPCC in its 50th year alone, half were delinquents, 500 others came from the Welfare Department, 445 were lost or runaways and 1700 were abused or neglected. The number of children removed from their homes was only 15% of the 11,000 children involved in the almost 4000 complaints investigated by the NYSPCC in that single year. The Society also prosecuted 400 cases of crimes against children.
As the NYSPCC reached its first half-century of service, 49 SPCCs were operating in New York State, over 480 throughout the United States and 53 others around the world.

Among its many services, none attracted more publicity and generated more controversy than the NYSPCC’s advocacy and enforcement of laws governing the appearance of children in the circus and on the stage. Theater managers turned out on both sides of the issue; the press generally favored the child actors and their agents; and the courts regularly upheld The Society. Although it usually comprised less than one-fifth of SPCC work in any given year, and less than 3 percent of it involved prosecutions, it caused a significant reduction in child exploitation and abuse and brought about a climate of reform.

During the next twenty-five years, the burden of responsibility for some of the NYSPCC’s ancillary tasks, such as the investigation of petitions for voluntary child placement, child support collection and enforcement, and the home investigation of those seeking the return of their children from placement were shifted to city agencies and the Society welcomed the cooperation and assistance of other agencies.

The greatest threat to child protection came not from other service disciplines or from public managers and policymakers, but from the Great Depression. The collapse of the stock market, the international economic crisis and the global military conflict that followed led to the demise of all but the most fiscally sound humane operations.

Thanks to wise management and the acumen of its finance committee, the NYSPCC not only survived the depression, but did so without any layoffs or diminution of protective services. The NYSPCC shifted its responsibility for the operation of the temporary shelter, initially undertaken only because no other public or private entity provided, to the public sector.

By the end of World War II, the NYSPCC directorship recognized that the SPCC role in child protection was shifting from that of leader to one of partner. It also understood the significance of these altered circumstances and prepared to participate effectively in a collaborative service for children.
As The Society entered the second half of the twentieth century, it began microfilming its thousands of case files, hired female officers who would become the first women promoted to the highest supervisory positions in the agency, and in recognition of the needs of an immigrant population, sent investigators to learn Spanish.

Between 1950 and 1974, three events occurred that revolutionized child protection and altered the role of the NYSPCC.

The establishment of the Family Court in New York in 1962 was more than an evolutionary development of the Children's Court for which the NYSPCC had so ardently advocated in the early days; it was a radical departure providing a new and more effective means of child protection. The criminal law had been a useful instrument in bringing about a revolutionary change in society's attitude toward and treatment of children, but it was limited in what it could accomplish. The decriminalization of custodial abuse and neglect, coupled with provision for rehabilitative services in a court of law, made it possible to treat the family as a whole as well as to protect the child. The Society was provided with an office in the new court from which it presented its cases through its own attorneys.

Also in 1962, Dr. Henry Kempe's landmark research into what came to be called “the battered child syndrome” scientifically demonstrated the crucial importance of the physician's examination in identifying child abuse, which would otherwise remain undetected.
In the heightened atmosphere of professional and public concern for child maltreatment, federal funds were allocated to encourage the states to ensure the operation of effective systems of child protection. Since the once huge network of SPCCs was no longer in place, states looked to their county social service delivery systems as the logical alternative. This was followed by laws mandating human services professionals to report their suspicions of child maltreatment and by the establishment of central registries to receive and assign them. As this developed in New York, SPCCs actively participated.

Not everything changed, however, and for five years, beginning in 1973, the court again turned to the NYSPCC to provide an important service, that of conducting and presenting foster care investigations.
When The New York Society for the Prevention of Cruelty to Children celebrated its 100th anniversary of service, it might have taken the view that after a century of consciousness-raising and pioneering activity, organized child protection was no longer a theory or a private mission, but a cause embraced by society and recognized as a public responsibility. The members might have congratulated themselves on a job well done and disbanded. Instead, they viewed the altered position of the NYSPCC, the result of its success, as a new opportunity.
The first step was to continue to upgrade staff training and qualifications.

Earlier, the society had sent some of its investigators for social work training and some of its senior investigators became certified social workers. Now its investigators were certified in both child protection and law enforcement. The number of staff attorneys was also increased and supplemented by law school interns.

Traditional services were by no means eliminated. In 1976, the Family Court, like the courts of 1876, asked the SPCC to conduct investigations of pending cases. From this developed the NYSPCC guardian ad litem service. In this "one stop shopping" program (as an enthusiastic judge called it), The Society is appointed to represent children: conducts investigations, presents reports, participates in hearings, makes recommendations, coordinates provision for other services and undertakes child protective measures when necessary. Under this program, the NYSPCC initiated the use of hair follicle drug testing.

In July 1980, The Society moved to 161 William Street, in closer proximity to the courthouses.

From 1988 through 1992, the city contracted with the NYSPCC to conduct high-risk child protective investigations in "welfare hotels."

During the almost one hundred years in which the NYSPCC bore sole responsibility for child protection in New York County, the volume of work did not allow for any attention to the preventive aspects of its mission. In the early 1990's the NYSPCC seized the opportunity to take a leadership role in providing innovative preventive service initiatives.

In 1992, it started supervised visitation, court-ordered, professionally supervised parent-child contact in a safe, supportive environment, supplemented by written reports for the court and opportunities for parent education.

In that year, the NYSPCC also updated the microfilming of its case files and established the George Sim Johnston Archives, a rare collection on the history of child protection. It is a unique source for family history and an invaluable resource for professional researchers and students.

Since 1994, in a unique collaboration with Columbia University's College of Physicians and Surgeons and School of Social Work and Alianza Dominicana, a community based organization, the NYSPCC has operated Best Beginnings in Washington Heights. This home-based primary prevention program is designed to prevent child abuse and neglect by promoting child health and development and enhancing parental self-sufficiency.

Since 1995, in partnership with
The Association of the Bar of the City of New York and Victims Services, The Society has been offering child custody mediation. An alternative to the potentially destructive and often damaging consequences of litigation, this voluntary, child-focused program assists parents to develop realistic, practical, relationship-enhancing agreements for child custody and visitation. It has been selected a demonstration project by the Chief Judge of the State of New York.

Consistent with its mandate to protect and prevent, the NYSPCC also reaches out to the community at large. Since 1990, it has provided training in recognizing and reporting child maltreatment to more than 30,000 medical, educational, and social service professionals and has published its own handbook.

The NYSPCC has offered as many as twenty seminars a year, including a series of custody mediation and sex abuse lectures in the Family Court and several public symposia on the problem of drug exposed newborn infants. Society members also appear at public hearings and give testimony before lawmakers, review pending legislation, contribute articles to professional journals, and address the public at large through the media.

In 1999, in another effort to reduce the negative effects of family fragmentation resulting from divorce, the NYSPCC, in cooperation with the New York County Lawyers' Association and the State Unified Court System, initiated a parent education program. It presents parents who are separating with information from legal and mental health professionals about the divorce and separation process and its impact on themselves and their children in order to ease transitions and reduce conflict.

In 1993, "in recognition of outstanding efforts to improve the investigation, administration and judicial handling of child abuse cases", the NYSPCC received the governor's Decade of the Child Award.

In the one hundred and twenty-five years since its 1875 incorporation as the first child protection agency in the world, The New York SPCC, has investigated more than 650,000 cases on behalf of over 2 million children.
“I was in a courtroom full of men with pale, stern looks. I saw a child brought in... at the sight of which men wept aloud. And as I looked, I knew I was where the first chapter of children’s rights was written... For from that dingy courtroom... came forth The New York Society for the Prevention of Cruelty to Children with all it has meant to the world’s life.”

JACOB RIIS
On the one hundred and twenty-fifth anniversary of its incorporation, The New York Society for the Prevention of Cruelty to Children seeks one thing, to continue to protect the children of New York, a cause that is as worthy of support in the new millenium as it was in the last.
ACKNOWLEDGEMENTS

The NYSPCC would like to express its appreciation to the members of the Anniversary Journal Committee for the long hours, hard work and expertise they contributed in the preparation of this historical survey of the first one hundred and twenty-five years of service by The New York Society for the Prevention of Cruelty to Children:

ANNE REINIGER
EXECUTIVE DIRECTOR

JOSEPH T. GLEASON
DIRECTOR OF EDUCATIONAL, ARCHIVAL AND ADMINISTRATIVE SERVICES

STEPHANIE UHLMAN
DEVELOPMENT COORDINATOR

125th Anniversary Committee:

CYNTHIA JOHNSTON, CHAIR
ELIZABETH E. BARTLETT
THOMAS CARIHART
JOHN FARR
ELBRIDGE T. GERRY, JR.
CAROLINE GERRY
LISA C. GREEN
SUSAN P. KEENAN

The Board also wishes to extend its sincerest thanks to those responsible for bringing this project to completion:

DESIGN
GATES SISTERS STUDIO, INC.

PRINTER
BOB MASTELLONE; RPM PRINTING CORP.

PRINCIPAL PHOTOGRAPHIC AND DOCUMENTARY RESOURCE
THE GEORGE SIM JOHNSON ARCHIVES OF THE NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO CHILDREN

PHOTOGRAPHS 1975-2000
JONATHAN SNOW
ON THE COVER
CLOCKWISE FROM TOP LEFT:
PADRONE BOYS
BEST BEGINNINGS
NYSPCC WAGON
GENERAL PERSHINGS' VISIT TO THE NYSPCC SHELTER
CHILDREN ENTERING NYSPCC SHELTER
CHILDREN'S COURT
NYSPCC INVESTIGATORS BRINGING CHILDREN TO SHELTER
NYSPCC OFFICER WITH A CHILD
CHILD SAFE AT LAST
BEST BEGINNINGS COMPLETION CEREMONY
NYSPCC NURSE
NYSPCC PROTECTIVE REMOVAL
TITANIC WAIFS
FAMILY COURT JUDGE GEORGE JUROW
CHILD HELPPED BY NYSPCC
HENRY BERGH
NYSPCC HEADQUARTERS AND 1ST CHILD PROTECTIVE SHELTER
SUPERVISED VISITATION
MARY ELLEN
ELBRIDGE T. GERRY
BEST BEGINNINGS FAMILY
ETTA WHEELER

ON THE BACK COVER
WOODCUT ILLUSTRATION OF PADRONE BOYS
(INSET) BEST BEGINNINGS STAFF AND FAMILIES

PREVIOUS OVERLEAF
(ABOVE) BOY BEFORE JUDGE AT CHILDREN'S COURT, C. 1905
(BELOW) BEST BEGINNINGS COMPLETION CEREMONY, 1999

United Way of New York City
Helps Here
The New York Society for the Prevention of Cruelty to Children

125th ANNIVERSARY
1875-2000